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DEPUTY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JOHN BRACE and STEPHANIE BRACE,  
individually, and JOHN BRACE on behalf of  
MARISSA BRACE, minor,

Plaintiffs,

vs

CITY OF SEATTLE, a Municipal Corporation,  
SEATTLE POLICE DEPARTMENT, M  
WATERS, in his individual and official  
capacity as an OFFICER of the SEATTLE  
POLICE DEPARTMENT, and JANE DOE  
WATERS, his wife, and the marital community  
composed thereof, C. M HAIRSTON, in his  
individual and official capacity as an OFFICER  
of the SEATTLE POLICE DEPARTMENT,  
and JANE DOE HAIRSTON, his wife, and the  
marital community composed thereof, and  
DOES 1-50,

Defendants.

Case No **03-1071**

COMPLAINT  
FOR VIOLATIONS OF CIVIL RIGHTS.  
TRESPASS TO CHATTEL, CONVERSION,  
LOSS OF COMPANIONSHIP,  
INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS, STATUTORY  
NUISANCE, NEGLIGENCE, NEGLIGENT  
SUPERVISION, GROSS NEGLIGENCE

**JURY TRIAL DEMANDED**

Plaintiffs, by and through their attorney of record, ADAM P KARP, do hereby allege

#

#

COMPLAINT - 1

LAW OFFICE OF ADAM P. KARP  
ADAM P. KARP, ESQ  
600 1st Ave Ste 224 • Seattle, WA 98104  
(206) 903-1315 • Facsimile (206) 223-0224  
adam@animal-lawyer.com

**ORIGINAL**

5/12/03  
4107209

**I. JURISDICTION AND VENUE**

1 1 This Court has jurisdiction over the subject matter of this action pursuant to 28 U S C  
2 §§ 1331, 1343, and 1367, and venue is properly set in the United States District Court for the  
3 Western District of Washington pursuant to 28 U S C § 1391

4 2 The causes of action alleged herein arise from factual allegations occurring in this  
5 judicial district

6 3 Plaintiffs are informed and believe, and on that basis allege, that each of the named  
7 Defendants reside in this judicial district

**II. PARTIES**

8 2 1 Plaintiffs JOHN BRACE, STEPHANIE BRACE, and MARISSA BRACE,  
9 (hereinafter “the Braces” or “the plaintiffs”) are, and at all times herein were, individuals  
10 residing in King County and the owners of the animal at issue Mr Brace also claims on behalf  
11 of a minor child and contemporaneously seeks appointment as guardian ad litem for her in this  
12 matter for that purpose

13 2 2 The CITY OF SEATTLE is a municipal corporation located within the Western  
14 District of Washington and organized under the laws of the State of Washington

15 2.3 M WATERS (hereinafter “WATERS”) and Jane Doe Waters constitute a marital  
16 community under the laws of the State of Washington and upon belief reside within King  
17 County. Upon belief, M WATERS was at the time of the injuries complained of in this  
18 Complaint, an employee and/or agent of the CITY OF SEATTLE and the SEATTLE POLICE  
19 DEPARTMENT acting within the scope of his official duties

1  
2 24 C M HAIRSTON (hereinafter "HAIRSTON") and Jane Doe Hairston constitute a  
3 marital community under the laws of the State of Washington and upon belief reside within  
4 King County within the Western District of Washington State Upon belief, C M HAIRSTON  
5 was at the time of the injuries complained of in this complaint, an employee and/or agent of the  
6 CITY OF SEATTLE and the SEATTLE POLICE DEPARTMENT, acting within the scope of  
7 his official duties  
8

9 25 There are numerous other persons, identities presently unknown to Plaintiffs JOHN  
10 BRACE, STEPHANIE BRACE, and MARISSA BRACE who are, and were at all times  
11 mentioned herein, supervisors, incident commanders, and decision-makers OF THE CITY OF  
12 SEATTLE and the SEATTLE POLICE DEPARTMENT, who acted in concert with the above  
13 named Defendants and who devised or approved the police strategy for responding to the  
14 altercation and police response thereto that is the subject of this action and in doing the things  
15 hereinafter alleged, acted under color of state law as agents of the CITY OF SEATTLE and  
16 with its full consent and approval  
17

18 26 DOES 1-50 are, and were at all times mentioned herein, OFFICERS and  
19 SUPERVISORS of The Police Department Of The City Of Seattle, and in committing,  
20 participating in, directing, or with knowledge failing to prevent the acts and omissions herein  
21 acted under color of state law as agents of the CITY OF SEATTLE and the SEATTLE POLICE  
22 DEPARTMENT and with such entities' consent and approval  
23

24 27 This action is brought pursuant to the Fourth, Fifth, and Fourteenth Amendments to  
25 the United States Constitution, Article 1, Section 3 of the Washington State Constitution, 42

U S C §§ 1983, 1988, Washington State common law prohibiting intentional infliction of emotional distress, private nuisance, trespass to chattel, conversion, loss of companionship, and Washington common law negligence, negligent supervision, and gross negligence

2.8 On July 15, 2002, Defendant City of Seattle was served with a Notice of Claim. The City rejected the claim, and it has been more than sixty days since the claim was filed.

### **III. FACTS**

3.1 On or about 3:15 p.m. on January 9, 2002, CARLOS CASTRO and RUBEN CASTRO were involved in an altercation with KEITH HOLMAN on the 900 block of Southwest Holden Street in Seattle, Washington.

3.2 Neither CARLOS CASTRO nor RUBEN CASTRO wielded guns, knives, blunt or edged instruments, or any other weapons during this altercation.

3.3 On or about 3:20 p.m., Seattle Police Department dispatched Defendants HAIRSTON and WATERS to the scene of the altercation.

3.4 Seattle Police officers did not arrive until after the Seattle Fire Department was on scene and treating the complainant KEITH HOLMAN.

3.5 Following their arrival, Defendant HAIRSTON placed suspect JOSEPH T. GARDNER in custody, only to release him after he was satisfied of his innocence.

3.6 No officer with the SEATTLE POLICE DEPARTMENT, including Defendants HAIRSTON and WATERS, saw CARLOS CASTRO or RUBEN CASTRO on January 9, 2002.

1  
2 3 7. Nearly thirty minutes after the altercation described above ended, Defendants  
3 HAIRSTON and WATERS opened the closed front door to 907 Southwest Holden Street,  
4 Apartment One, in Seattle, Washington on or around 3 45 p m on January 9, 2002, entering  
5 without a warrant, without consent, with guns drawn, and without the protection of an  
6 exception to warrantless entry  
7

8 3 8 Defendants HAIRSTON and WATERS intentionally trespassed on private property  
9 where Plaintiffs JOHN BRACE, STEPHANIE BRACE, and MARISSA BRACE's female,  
10 eighteen-month-old American Staffordshire Terrier named PRINCESS was maintained and  
11 sheltered.

12 3 9. While inside the apartment, Defendants HAIRSTON and WATERS opened a closed  
13 door leading to a bedroom that contained Princess, who was in her cage  
14

15 3 10 PRINCESS emerged from her cage after Defendant HAIRSTON entered this room

16 3.11 PRINCESS never physically contacted Defendants HAIRSTON or WATERS

17 3 12 PRINCESS never chased or approached Defendants HAIRSTON or WATERS in a  
18 menacing fashion or apparent attitude of attack

19 3 13 PRINCESS has no known propensity, tendency, or disposition to attack, to cause  
20 injury, or otherwise to threaten the safety of humans or domestic animals

21 3.14 Defendant HAIRSTON discharged several shots from his firearm directed at  
22 PRINCESS, killing her

23 3.15 Defendant WATERS also discharged several shots from his firearm directed at  
24 PRINCESS, killing her  
25

3 16 Defendants HAIRSTON and WATERS have a reputation in the community for using  
4 lethal force on dogs, especially pit bull dogs, within months and blocks of the subject incident

5 3 17 Defendants HAIRSTON and WATERS, without legal authorization, intentionally or  
6 recklessly inflicted substantial pain on, caused physical injury to, or killed PRINCESS by a  
7 means causing undue suffering

8 3 18 On January 10, 2002, Seattle Animal Control released PRINCESS's body to Plaintiffs  
9 JOHN BRACE, STEPHANIE BRACE, and MARISSA BRACE in a garbage bag leaking her  
10 blood

11 3 19 As a result of the incident, Plaintiffs JOHN BRACE, STEPHANIE BRACE, and  
12 MARISSA BRACE lost the intrinsic value of PRINCESS, as based on her unique qualities,  
13 characteristics, and pedigree

14 3 20 Plaintiffs JOHN BRACE, STEPHANIE BRACE, and MARISSA BRACE owned and  
15 formed a relationship with PRINCESS beginning in 2000, caring for and being cared for by  
16 each for nearly two years. PRINCESS was a close family companion throughout that period  
17 and had special value to the family, aiding Plaintiffs JOHN BRACE, STEPHANIE BRACE,  
18 and MARISSA BRACE in their well-being, growth, development, and daily activities,  
19 including in work and play

20 3 21 At the time of the incident and before, Plaintiffs JOHN BRACE, STEPHANIE  
21 BRACE, and MARISSA BRACE were healthy and active and fully capable of engaging in  
22 normal day-to-day mental and physical activities. Since the killing of PRINCESS, Plaintiffs  
23 JOHN BRACE, STEPHANIE BRACE, and MARISSA BRACE's ability to perform and enjoy  
24  
25

1  
2 their usual activities, including family and work-related activities, has been impaired In  
3 addition, Plaintiffs JOHN BRACE, STEPHANIE BRACE, and MARISSA BRACE have  
4 suffered severe emotional distress and mental anguish affecting their psychological  
5 development  
6

#### 7 **IV. STATEMENT OF DAMAGES**

8 4 1 As a direct and proximate result of the intentional and/or negligent acts of  
9 Defendants, Plaintiffs JOHN BRACE, STEPHANIE BRACE, and MARISSA BRACE  
10 sustained severe mental pain and suffering and injury in an amount that will be established at  
11 trial

12 4 2 As a further direct and proximate result of the intentional and negligent acts of the  
13 Defendants, said Defendants destroyed Plaintiff JOHN BRACE, STEPHANIE BRACE, and  
14 MARISSA BRACE's personalty, to wit, PRINCESS, an 18-month-old female American  
15 Staffordshire Terrier, causing them to lose PRINCESS's substantial intrinsic economic value  
16 and her companionship  
17

18 4 3 Plaintiffs JOHN BRACE, STEPHANIE BRACE, and MARISSA BRACE are entitled  
19 to compensation for the constitutional harms Defendants inflicted on them, including loss of  
20 liberty and property

21 #

22 #

23 #

24 #  
25

**V. CAUSES OF ACTION**

**COUNT ONE**

Violation of Civil Rights  
(Title 42 U S C Section 1983)  
AS TO ALL PLAINTIFFS  
As To All Individual Defendants

5.1 Plaintiffs reallege and incorporate herein by reference the allegations set forth in Paragraphs 1 through 4.3 of this Complaint

5.2 In committing the acts complained of herein, Defendants acted under color of state law to deprive Plaintiffs as alleged herein of certain constitutionally protected rights including, but not limited to

the right not to be deprived of liberty without due process of law,

the right not to be deprived of property without due process of law,

the right to be free from police excessive use of force,

the right to be free from unreasonable search and seizure, and

the right to just compensation for a taking of property for a public purpose

5.3 In violating Plaintiffs' rights as delineated above, and other rights according to proof, Defendants acted by unauthorized warrantless search, warrantless seizure and/or use of force, or by setting the chain of events in motion that led to the unauthorized warrantless search, warrantless seizure, and use of force. Defendants acted to violate Plaintiffs' rights under the Fourth, Fifth, and Fourteenth Amendments to the U S Constitution



5 4 As a direct and proximate result of the violation of their constitutional rights by  
 3 Defendants, and each of them. Plaintiffs suffered general and special damages as alleged in this  
 4 Complaint.

5 5 The conduct of Defendants was willful, malicious, oppressive, and/or reckless, and  
 6 was of such a nature that punitive damages should be imposed in an amount commensurate  
 7 with the wrongful acts alleged herein

## 9 COUNT TWO

### 10 Violation of Civil Rights 11 (Title 42 U S C Section 1983) AS TO ALL PLAINTIFFS

#### 12 As To Defendants City of Seattle and Seattle Police Department

13 5.6 Plaintiffs reallege and incorporate herein by reference the allegations set forth in  
 14 Paragraphs 1 through 4 3 of this Complaint

15 5 7 Defendants City of Seattle and Seattle Police Department implicitly or explicitly  
 16 adopted and implemented a careless and reckless policy, custom, or practice of allowing the  
 17 employees of the Seattle Police Department to confront canines, without any informed animal  
 18 behavior training, in such a way as to cause the destruction of citizens' canine pets sheltered  
 19 and maintained securely indoors on private property without lawful justification

20 5 8 Defendants City of Seattle and Seattle Police Department implicitly or explicitly  
 21 adopted and implemented a careless and reckless policy, custom, or practice of allowing the  
 22 employees of the Seattle Police Department to confront canines by use of excessive force where  
 23 less lethal alternatives exist

24 5 9 These policies, customs, or practices implicitly or explicitly allow, condone, ratify,  
 25

1  
2 and afford the reckless, careless, and erroneous confrontation with domestic canines secured  
3 inside homes on private property by their incompetent, unqualified, unskilled, and  
4 inexperienced personnel to handle animals, such as canines, when called upon to confront them  
5 while the officers are on the job, so as to make mistakes or act willfully, wantonly and/or  
6 recklessly so that they cause the death of citizens' canine pets presenting no danger to the  
7 public while being securely confined indoors on private property  
8

9 5 10 These policies, customs, or practices implicitly or explicitly encourage employees of  
10 the Seattle Police Department to be more aggressive with pit bull dogs – viz, American  
11 Staffordshire Terriers, American Pit Bull Terriers, Staffordshire Bull Terriers, and Bull Terriers  
12 – particularly those maintained or sheltered in low-income neighborhoods or neighborhoods of  
13 color.  
14

15 5 11 In committing the acts complained of herein, Defendants acted under color of state  
16 law to deprive Plaintiffs as alleged herein of certain constitutionally protected rights including,  
17 but not limited to

18 the right not to be deprived of liberty without due process of law;

19 the right not to be deprived of property without due process of law,

20 the right to be free from police use of excessive force,

21 the right to be free from unreasonable search and seizure, and

22 the right to just compensation for a taking of property for a public purpose  
23

24 5 12 As a direct and proximate result of the policies complained of herein, Plaintiffs have  
25 suffered general and special damages as set forth in this Complaint

**COUNT THREE**  
Violation of Civil Rights  
(WASHINGTON STATE CONSTITUTION)  
AS TO ALL PLAINTIFFS  
As to All Defendants

5 12 Plaintiffs reallege and incorporate herein by reference the allegations set forth in  
6 Paragraphs 1 through 4.3 of this complaint

8 13 Defendants' warrantless entry and trespass onto private property and destruction of  
9 Plaintiffs' personalty, to wit PRINCESS as described above, was unlawful because it violated  
10 Article 1 of the Washington State Constitution, Section 3

11 14 As a direct and proximate result of the violation of their constitutional rights by each  
12 Defendant, Plaintiffs suffered general and special damages as alleged in this Complaint

13 15 The conduct of Defendants was willful, malicious, oppressive, and/or reckless, and  
14 was of such a nature that punitive damages should be imposed in an amount commensurate  
15 with the wrongful acts alleged herein

**COUNT FOUR**  
Common Law Trespass to Chattel  
AS TO ALL PLAINTIFFS  
As to All Defendants

17 16 Plaintiffs reallege and incorporate herein by reference the allegations set forth in  
18 Paragraphs 1 through 4.3 of this Complaint

19 17 Defendants acted intentionally or in reckless disregard of probable consequences in  
20 damaging or destroying Plaintiffs' personal property, to wit, PRINCESS as described above

21 18 The proximate cause of Plaintiffs' injuries was the physical harm defendants caused

to Plaintiffs' personal property as described above

5 19 As a direct result of one or more of Defendants' acts of trespass and the injuries  
4 resulting from those acts, Plaintiffs lost the intrinsic value of their property and suffered  
5 economic and noneconomic damages as more specifically set forth in the prayer below

7 **COUNT FIVE**  
8 Common Law Conversion  
9 AS TO ALL PLAINTIFFS  
10 As to All Defendants

11 5 20 Plaintiffs reallege and incorporate herein by reference the allegations set forth in  
12 Paragraphs 1 through 4 3 of this Complaint

13 5 21 Defendants acted intentionally or in reckless disregard of probable consequences in  
14 the exercise of dominion or control over Plaintiffs' personal property, to wit, PRINCESS as  
15 described

16 5 22 The manner in which Defendants exercised such dominion or control was both  
17 inconsistent with, and seriously interfered with, Plaintiffs' rights as the property owners to  
18 enjoy and/or control their personalty

19 5 23 The proximate cause of Plaintiffs' injuries was the physical harm Defendants caused  
20 to Plaintiffs' personal property as described above

21 5 24 As a direct result of one or more of Defendants' acts of conversion and the injuries  
22 resulting from those acts, Plaintiffs lost the intrinsic value of their property and suffered  
23 economic and noneconomic damages as more specifically set forth in the prayer below

24 #

**COUNT SIX**

Common Law Loss of Companionship

AS TO ALL PLAINTIFFS

As to All Defendants

5 25 Plaintiffs reallege and incorporate herein by reference the allegations set forth in  
6 Paragraphs 1 through 4 3 of this Complaint

7 5 26 PRINCESS was the long-time animal companion of Plaintiffs, and she provided  
8 solace, affection, friendship, and love for a lengthy period of time up until the date of her death

9 5 27 As their companion in all those respects, PRINCESS maintained a special  
10 relationship with Plaintiffs, situationally and emotionally similar to that of a human family  
11 member or relation  
12

13 5 28 In causing the death of PRINCESS in the manner they did, Defendants thereby  
14 destroyed that relationship and consequently caused Plaintiffs to permanently lose PRINCESS's  
15 companionship of the special nature described above That subsequent damage was a  
16 foreseeable result of the actions and misconduct of Defendants as described above

17 5 29 Defendants' conduct vitiated the cognizable parent-child relationship approximated  
18 between Plaintiffs and PRINCESS, for whom Plaintiffs regularly contributed support and upon  
19 whom Plaintiffs depended for emotional and psychological support  
20

21 5 30 As a result, Plaintiffs have suffered noneconomic damages as more specifically set  
22 forth in the prayer below

23 #

24 #

**COUNT SEVEN**

Common Law Intentional Infliction of Emotional Distress

AS TO ALL PLAINTIFFS

As to All Defendants

5 31 Plaintiffs reallege and incorporate herein by reference the allegations set forth in  
6 Paragraphs 1 through 4 3 of this Complaint

5 32 Defendants' conduct as set out above was outrageous and extreme

5 33 Defendants intentionally or recklessly inflicted severe emotional distress on Plaintiffs

5 34 As a result, Plaintiffs suffered severe emotional distress and the attendant  
10 noneconomic damages

**COUNT EIGHT**

Common Law Negligence

AS TO ALL PLAINTIFFS

As to Individual Defendants

5 35 Plaintiffs reallege and incorporate herein by reference the allegations set forth in  
16 Paragraphs 1 through 4 3 of this Complaint

5 36 Each Defendant owed Plaintiffs a duty to use due care at or about the times of the  
18 aforementioned incident

5 37 In committing the aforementioned acts and/or omissions, each Defendant negligently  
20 breached said duty to use due care, directly and proximately resulting in the injuries and damages  
21 to Plaintiffs as alleged herein

22 #

23 #

24 #

**COUNT NINE**

Common Law Negligent Supervision

AS TO ALL PLAINTIFFS

As to Defendants City of Seattle and Seattle Police Department

5 38 Plaintiffs reallege and incorporate herein by reference the allegations set forth in  
6 Paragraphs 1 through 4 3 of this Complaint

5 39 Each Defendant owed Plaintiffs a duty to use due care at or about the times of the  
8 aforementioned incident

5 40 Defendants CITY OF SEATTLE and SEATTLE POLICE DEPARTMENT  
10 negligently supervised Defendants HAIRSTON and WATERS and DOES 1-50 by failing to  
11 provide proper training and outline proper procedure in confronting domestic animals securely  
12 confined indoors on private property

5 41 In committing the aforementioned acts and/or omissions, each Defendant negligently  
15 breached said duty to use due care, directly and proximately resulting in the injuries and damages  
16 to Plaintiffs as alleged herein

**COUNT TEN**

Common Law Gross Negligence

AS TO ALL PLAINTIFFS

As to All Defendants

5 38 Plaintiffs reallege and incorporate herein by reference the allegations set forth in  
21 Paragraphs 1 through 4 3 of this Complaint

5 39 Defendants knew and/or should have known that there was a strong possibility that  
23 serious financial, emotional, and psychological harm would be inflicted on Plaintiffs as a result

of their disregard for state and federal law concerning warrantless entry and unauthorized use of force.

5 40 In addition, in failing to comply with state and federal law, Defendants acted indifferently to the high degree of manifest psychological danger and destruction of personal property, to wit, PRINCESS as described above, to which Plaintiffs would be and were exposed by such conduct

5 41 The proximate cause of Plaintiffs' injuries was the grossly negligent conduct of Defendants in the above regard

**COUNT ELEVEN**  
Statutory Private Nuisance  
(Title 7 R C W Section 48)  
AS TO ALL PLAINTIFFS  
As to All Defendants

5 42 Plaintiffs reallege and incorporate herein by reference the allegations set forth in Paragraphs 1 through 4 3 of this Complaint

5 43 Under Washington state law, specifically RCW 7 48 010 and 7 48 150, Defendants are liable to Plaintiffs for general damages sustained by virtue of their action – namely, trespassing and destroying personalty, to wit, PRINCESS as described. Such actions annoyed, injured, and endangered the comfort and repose of Plaintiffs, essentially interfering in the comfortable enjoyment of their personal property, to wit, PRINCESS as described

5 44 In engaging in the acts as described, Defendants violated the private nuisance statute and Plaintiffs are entitled to the statutory remedies for that violation



**JURY TRIAL DEMAND**

6 0 Plaintiffs hereby demand a jury trial in this matter

**PRAYER**

**ON THE FIRST, SECOND, AND THIRD CLAIM FOR RELIEF**

1 For the costs of this suit, including reasonable attorney's fees and costs, pursuant to 42  
7 U S C § 1988 or as otherwise authorized by law,

2 For actual, nominal, and compensatory damages under 42 U S C § 1988, for emotional  
10 distress, and for general damages, including loss of companionship and impairment of Plaintiffs'  
11 ability to enjoy life, the exact extent of which will be established at the time of trial, and

12 3 For punitive damages against individual Defendants in an amount to be proven at trial  
13 pursuant to Federal law

**ON THE FOURTH, FIFTH, EIGHTH, NINTH, AND TENTH CLAIM FOR RELIEF**

14 4 For general economic damages representing the intrinsic value of PRINCESS at the  
16 time of the loss based on her qualities, characteristics, and pedigree, subject to proof and  
17 modification at trial,

18 5 For special damages and for loss of use of PRINCESS, subject to proof and  
20 modification at trial. and

21 6 For noneconomic damages, joint and several against all defendants, subject to proof  
22 and modification at trial,

**ON THE SIXTH, SEVENTH, AND ELEVENTH CLAIM FOR RELIEF**

23 7 For general and noneconomic damages sustained subject to proof and modification at  
24  
25

trial,

ON ALL CAUSES OF ACTION

1 For costs of suit,

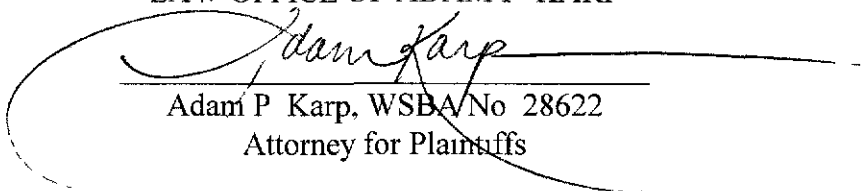
2 For statutory attorney's fees,

3 For postjudgment interest at 12% per annum or the highest rate permitted by law,  
4 whichever is greater, and,

5 For any other relief the Court deems just and proper

Dated this 12<sup>th</sup> day of May, 2003

LAW OFFICE OF ADAM P KARP

  
Adam P Karp, WSBA No 28622  
Attorney for Plaintiffs

JS 44 (Rev 3/99)

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM)

## I (a) PLAINTIFFS

*John Brace, Stephanie Brace, & Mariana Brace*

(b) County of Residence of First Listed Plaintiff King  
(EXCEPT IN U.S. PLAINTIFF CASES)

## DEFENDANTS

*City of Seattle, Seattle P.D., M. Waters & Jane Doe Waters, C. M. Hairston & Jane Doe Hairston, & Does 1-50*

County of Residence of First Listed King  
(IN U.S. PLAINTIFF CASES ONLY)

IN LAND CONDEMNATION CASES USE THE LOCATION OF THE LAND INVOLVED

Attorneys (If Known)

(c) Attorney's (Firm Name, Address, and Telephone Number)

*Adam Karp, Esq.  
600 1st Ave., Ste. 224  
Seattle, WA 98104* *206-903-1315*

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL DEFENDANT (For Diversity Cases Only)

- Citizen of This State ☐ 1 ☐ 1 Incorporated or Principal Place of Business in This State ☐ 4 ☐ 4
- Citizen of Another State ☐ 2 ☐ 2 Incorporated and Principal Place of Business in Another State ☐ 5 ☐ 5
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of <input type="checkbox"/> 160 Welfare Act <input type="checkbox"/> 170 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 180 Recovery of Overpayment of Veterans' Benefits <input type="checkbox"/> 190 Stockholders' Suits <input type="checkbox"/> 195 Other Contract <input type="checkbox"/> 195 Contract Product Liability	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 128 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIW C DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce ICC Rates/etc <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 820 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Equal Access to Justice <input type="checkbox"/> 900 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing Accommodations <input type="checkbox"/> 444 Welfare <input checked="" type="checkbox"/> 440 Other Civil Rights <i>42 U.S.C. § 1983</i>	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 535 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition			

## V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

## VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

*42 U.S.C. § 1983 - 4th, 5th, & 14th Amendments*

## VII. REQUESTED IN COMPLAINT

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ *UNKNOWN*

CHECK YES only if demanded in complaint  
JURY DEMAND ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

JUDGE

DOCKET NUMBER

DATE

*5/12/03*

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG JUDGE